THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18340 OF 2006

04.9.2006

Between:

Adi Ashok, S/o.Late Adi Sarvaiah
And another

… Petitioners

AND

The Mandal Revenue Officer (Survey Section),
Kandukoor Mandal, Ranga Reddy District.

… Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18340 OF 2006

ORDER:

The writ petition is filed for a writ of Mandamus declaring the inaction of the respondents in not conducting survey and demarcation of the petitioners' lands situated in survey Nos.239, 240 and 241 of Kothoor Village under Jaithwaram Village Gram Panchayat of Kandukoor Mandal in Ranga Reddy District as illegal and arbitrary.

Though the writ petition is coming up for admission, the matter is heard finally and is being disposed of by this order.

The petitioners herein are allegedly owners of various extents of land situated in survey Nos.239, 240 and 241 of Kothoor Village under Jaithwaram Village Gram Panchayat of Kandukoor Mandal in Ranga Reddy District and they purchased the same under registered sale deed dated 12.5.1981. Their names have been incorporated in the revenue records on 27.8.1993 as well as pahani patriks of the year 1984-1985. They approached the Mandal Revenue Officer (MRO), Kandukoor, the respondent herein, for demarcation of the land, in vain.

When the matter is called for admission, the learned Assistant Government Pleader for Revenue (General) has fairly submitted that following the circular instructions issued by the Commissioner of Survey, Settlements & Land Records, dated 01.6.1989, this Court disposed of W.P.No.13350 of 2006. In the said writ petition being W.P.No.13350 of 2006, this Court made the following observations.

> The learned Counsel for the petitioners while assailing the memo, dated 28.02.2004 placed reliance on the circular instructions in Ref.No.ROR(A)/225/89, dated 01.06.1989. A reading of the same would show that even where the land was not initially surveyed, it was found to be in possession of a number of persons and their possession was entered in the record of rights, survey can be taken up by allotting sub division numbers. The respondent lost sight of the said circular. Therefore, this matter is remanded to the respondent to take necessary action in accordance with the circular of the Commissioner of Survey, Settlements & Land Records, dated

01.06.1989, and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

Following the same, this writ petition is also disposed of, directing the respondent to pass appropriate orders in accordance with the circular referred to herein above, within a period of four weeks from the date of receipt of a copy of this order. No costs.

_____

(**V.V.S.RAO,J**)

September 04, 2006.

YS